

Washington DC— Congressman Joe Sestak (D-PA) issued a sharp response to the Record of Decision of the Federal Aviation Administration's (FAA) NY/NJ/PHL Airspace Redesign project issued today. — "This FAA's Record of Decision (ROD) today represents the culmination of 10 years of arrogance, as they failed at every step to listen to the public, elected officials, and local, state, and national experts on the impact of air emissions and noise on the environment and health of Americans in the communities affected by the Airspace Redesign," said Congressman Sestak, "It is absolutely wrong for the FAA, not to take into consideration the public's legitimate safety and health concerns and to use flawed studies of its costs and benefits to support the positions that meet its needs."

Additionally, Joe asserted, "The FAA airspace redesign should be abandoned because it represents a flawed process, and I intend to continue to work closely with the Delaware County Council, State Representatives, and my colleagues in Congress to put this flawed FAA Airspace Redesign to an end in its entirety. I believe that all of Delaware County needs to continue to stay together, Republicans, Independents, and Democrats, to bring a proper resolution in the interest of not only affected families in Delaware County, but of all the affected communities up-and-down the East Coast from Pennsylvania to New York and Connecticut."

Congressman Sestak will work with the Delaware County Council to coordinate between their litigation approach and the GAO's investigation of the airspace redesign Congressman Sestak instigated so that one does not adversely affect the other. While the Congressman received confirmation from the FAA that flights over Delaware County, under the proposed FAA Airspace Redesign, cannot be implemented for at least eight months due to the need to develop advanced navigation procedures in order to accommodate new takeoff headings, Representative Sestak is prepared to take appropriate action if this were to change.

Over that eight months, the Government Accountability Office (GAO) —the independent investigative arm of Congress—will be working to complete a study, which Congressman Sestak was successful at getting commissioned with Congressman Rob Andrews (D-NJ), to investigate the flawed process and erroneously determined costs, operational efficiencies, and environmental impacts of the FAA's proposed airspace covering the New York, New Jersey and Philadelphia region. Representative Sestak's efforts in this study are for the GAO to find that the FAA's airspace redesign proposal was poorly thought out with an unsupportable conclusion and provide the investigatory results to stop the implementation of the FAA Airspace Redesign.

In early August, Congressman Sestak reviewed the FAA's final Environmental Impact Statement of the FAA's Airspace Redesign, and found that little in the EIS document has changed from the past despite the hundreds of comments and dozens of public meetings held in my District and other affected communities.

"The FAA's methodology and models used in this project are misguided and flawed," said Congressman Sestak, "The project will create adverse impacts to affected communities without a full accounting of costs and benefits, and this is not acceptable. The FAA has not been responsive in taking into account the input of both the public and experts who have detailed their concerns with the process."

"I have worked aggressively with leaders in Congress, as well as with those at the state and local level, to address the concerns my constituents have over the noise and environmental impact of this redesign," stated Congressman Sestak. "I've said all along that the FAA's Draft Environmental Impact Statement is based on flawed models and assumptions. The study conducted by GAO will give us the investigatory results for stopping the FAA Airspace Redesign Project in its entirety. This GAO report will serve as an accountability study of whether a true cost-benefit analysis was done, and will serve to halt this project until a proper analysis is done, forcing the FAA to look at other options because Congress is now provided with an objective government study outlining why this process is flawed, forcing it to be ended."

There is precedence for the GAO causing similar projects to be stopped. In 2002, a GAO study suspended a Delaware River dredging project as flaws in the project's cost-benefit analysis were revealed.

Demonstrating the flawed analysis in the FAA's final EIS document, the FAA's model fails to measure the impact of noise; rather it measures sound, and accepts decibel measures that far exceed what is acceptable by the Environmental Protection Agency (EPA). Second, the FAA makes qualitative assumptions rather than quantitative analyses about the impact of the airspace redesign proposal on air emissions and energy use. Additionally, the FAA makes a flawed assumption that the airspace redesign proposal would have no impact on the population growth or the dislocation of homes and businesses because—the FAA says—no new construction is required. Finally, the FAA fails to consider the cumulative environmental impacts of the project on affected residents by not including the 17-35 Runway Expansion project at the Philadelphia International Airport.

"Up until now, the FAA has had a free ride. The GAO study is about having the government's watchdog review the FAA's process and conclusions," said Congressman Sestak. "We will find through this study that the FAA's airspace redesign proposal was poorly thought out and with an unsupportable conclusion. Therefore, it will have to be redone—this time appropriately."

The FAA's airspace redesign proposal has been in the works for 10 years, and while the Congressman has been in office only six months, he has aggressively worked during this time to address this issue. In less than six months, Congressman Sestak has established and met with his advisory board of local and national aviation experts more than 10 times (including meeting with the FAA several times), met with Deputy Secretary of Transportation Maria Cino, and held two summits/hearings on the issue in the district, among working the issue through legislative and other means in Washington, including having the GAO investigate the FAA process as result of Chairmen Costello and Oberstar of the House Aviation Subcommittee & Transportation and Infrastructure Committee supporting the GAO effort after having listened to Joe's Expert Advisory Board study results.

Four years ago in 2003, Congress passed legislation that gave the Secretary of Transportation or his agent, the FAA Administrator, the exclusive authority to limit the alternatives for consideration and to define the purpose and need for each new aviation project as they see fit. Right afterwards, the FAA removed from its scoping document on the Philadelphia airspace redesign proposal the goal of noise abatement! Legislation was needed then to correct this problem, restore equity and fairness in the deliberations, and protect the interests of our communities. Unfortunately, nothing was done to address this issue, which is why Congressman Joe Sestak is aggressively pursuing all options—including legislation and the GAO report—to stop the FAA's proposal now.

That is also why Joe is also working with Congressman Rob Andrews, whose district is also negatively impacted by the airspace redesign proposal, on legislation to ensure the process does address both of their concerns on the FAA's proposed airspace redesign on their citizens' safety, health, education, and property values and takes into account a real cost/benefit analysis of the proposal.

Continued pressure is needed at the local, regional, state, and federal levels to pursue the end of this proposal. Everyone must be pushing at all times to stop the FAA, which is why Congressman Sestak will continue to work with everyone on a multi-part plan that will tackle this issue from all sides.

Born and raised in Delaware County, former 3-star Admiral Joe Sestak served in the Navy for 31 years and now serves as the Representative from the 7th District of Pennsylvania. He led a series of operational commands at sea, including Commander of an aircraft carrier battle group

of 30 U.S. and allied ships with over 15,000 sailors and 100 aircraft that conducted operations in Afghanistan and Iraq. After 9/11, Joe was the first Director of "Deep Blue," the Navy's anti-terrorism unit that established strategic and operations policies for the "Global War on Terrorism." He served as President Clinton's Director for Defense Policy at the National Security Council in the White House, and holds a Ph.D. in Political Economy and Government from Harvard University. According to the office of the House Historian, Joe is the highest-ranking former military officer ever elected to the U.S. Congress.